



UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2023 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID LUIS DE LA CRUZ III,
aka "Big Bank Movie,"
aka "Movie," and
JUSTIN MASUKA KANAMA,
aka "Jay Belafonte,"

Defendants.

CR No. 2:23-cr-00580-AB

I N D I C T M E N T

[18 U.S.C. §§ 1344(2), 2(a): Bank
Fraud; 18 U.S.C. § 982: Criminal
Forfeiture]

The Grand Jury charges:

COUNTS ONE THROUGH EIGHTEEN

[18 U.S.C. §§ 1344(2), 2(a), 2(b)]

[ALL DEFENDANTS]

A. INTRODUCTORY ALLEGATIONS

At times relevant to this Indictment:

1. Wells Fargo Bank, N.A. was a financial institution insured
by the Federal Deposit Insurance Corporation.

1 B. THE SCHEME TO DEFRAUD

2 2. Beginning on a date unknown to the Grand Jury, but no later
3 than on or about August 30, 2022, and continuing through at least on
4 or about January 17, 2023, in Los Angeles County, within the Central
5 District of California, defendants DAVID LUIS DE LA CRUZ III, also
6 known as ("aka") "Big Bank Movie," aka "Movie," and JUSTIN MASUKA
7 KANAMA, aka "Jay Belafonte," and others known and unknown to the
8 Grand Jury, knowingly and with intent to defraud, devised and
9 executed a scheme to obtain moneys and funds owned by and in the
10 custody and control of Wells Fargo by means of material false and
11 fraudulent pretenses, representations, and promises, and the
12 concealment of material facts.

13 3. The fraudulent scheme operated, and was carried out, in
14 substance, in the following manner:

15 a. Defendant DE LA CRUZ and other co-schemers would
16 obtain and possess checks that were stolen from the mail and issued
17 to various victims.

18 b. One or more co-conspirators would endorse the stolen
19 checks, usually using the alias, "Jay Belafonte."

20 c. Defendant DE LA CRUZ would deposit the stolen checks
21 at Wells Fargo Automated Teller Machines ("ATM") into a Wells Fargo
22 business account that defendant KANAMA controlled (the "GPW
23 Account"). To deposit the stolen checks, defendant DE LA CRUZ would
24 use the debit card and PIN assigned to and provided by defendant
25 KANAMA.

26 d. Defendant KANAMA, using the GPW account and digital
27 mobile payment services, such as Cash App, Zelle, Venmo, PayPal, and
28 Apple Pay, would wire or attempt to transfer proceeds of the fraud

scheme to bank accounts controlled by defendants DE LA CRUZ and KANAMA.

4. As a result of the fraudulent scheme, defendants DE LA CRUZ and KANAMA fraudulently deposited approximately \$360,256.17 in stolen checks into the GPW Account.

C. EXECUTION OF THE FRAUDULENT SCHEME

5. On or about the dates specified below, in Los Angeles County, within the Central District of California, defendants DE LA CRUZ and KANAMA, each aiding and abetting the other, committed the following acts, each of which constituted an execution of the fraudulent scheme:

COUNT	DATE	ACT
ONE	09/01/22	Deposited a stolen check in the amount of \$2,231.44 that was drawn from a City National Bank account and made out to G&M Paints, at a Wells Fargo ATM in San Fernando, California.
TWO	09/07/22	Deposited a stolen check in the amount of \$3,780 that was drawn from a Citizens Business Bank account and made out to CohnReznick LLP, at a Wells Fargo ATM in Santa Clarita, California.
THREE	09/08/22	Deposited a stolen check in the amount of \$2,976.20 from a Citizens Business Bank account and made out to Creative Handbook, at a Wells Fargo ATM in Canyon Country, California.
FOUR	09/09/22	Deposited a stolen check in the amount of \$2,903.84 that was drawn from a Bank of America account and made out to G&M Paint Center, at a Wells Fargo ATM in Canyon Country, California.
FIVE	09/10/22	Deposited a stolen check in the amount of \$1,897.86 that was drawn from a Wells Fargo account and made out to Action Embroidery Corp., at a Wells Fargo ATM in Canyon Country, California.

COUNT	DATE	ACT
SIX	09/13/22	Deposited a stolen check in the amount of \$2,551.60 that was drawn from a Citizens Business Bank account and made out to Tool Time, at a Wells Fargo ATM in Canyon Country, California.
SEVEN	09/21/22	Caused the transfer of \$5,000 from the GPW Account to a Cash App account in the name of defendant DE LA CRUZ.
EIGHT	09/22/22	Deposited a stolen check in the amount of \$2,894.88 that was drawn from a Bank Leumi USA account and made out to F&W Food Services, at a Wells Fargo ATM in Pacoima, California.
NINE	09/23/22	Deposited a stolen check in the amount of \$2,222.30 that was drawn from a Bank of America account and made out to Little Bohemia Rentals, a Wells Fargo ATM in Santa Clarita, California.
TEN	09/24/22	Deposited a stolen check in the amount of \$2,355.94 that was drawn from a CIBC Bank account and made out to F&W Food Services, at a Wells Fargo ATM in Santa Clarita, California.
ELEVEN	09/30/22	Caused the transfer of \$11,000 from the GPW account to Bank of America account in the name of defendant DE LA CRUZ.
TWELVE	10/01/22	Caused the transfer of \$5,000 from the GPW Account to a Cash App account in the name of defendant DE LA CRUZ.
THIRTEEN	10/07/22	Deposited a stolen check in the amount of \$9,416.35 that was drawn from a City National Bank account and made out to Catalina Paint, at a Wells Fargo ATM in Canyon Country, California.
FOURTEEN	10/14/22	Caused the transfer of \$3,000 from the GPW Account to a Cash App account in the name of defendant DE LA CRUZ.
FIFTEEN	10/21/22	Deposited a stolen check in the amount of \$15,085 that was drawn from a TD Bank NA account and made out to ESP Guitar Company, at a Wells Fargo ATM in Santa Clarita, California.
SIXTEEN	10/22/22	Caused the transfer of \$3,000 from the GPW Account to a Cash App account in the name of defendant DE LA CRUZ.

COUNT	DATE	ACT
SEVENTEEN	10/25/22	Caused the transfer of \$2,000 from the GPW Account to a Cash App account in the name of defendant DE LA CRUZ.
EIGHTEEN	11/03/22	Caused the transfer of \$13,400 from the GPW account to a Bank of America account in the name of defendant DE LA CRUZ.

FORFEITURE ALLEGATION

[18 U.S.C. § 982]

1. Pursuant to Rule 32.2(a) of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 982(a)(2), in the event of the defendants' conviction of the offenses set forth in any of Counts One through Eighteen of this Indictment.

2. The defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title and interest in any and all property, real or personal, constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), the defendant, if so convicted, shall forfeit substitute property, up to the total value of the property described in the preceding paragraph if, as the result of any act or omission of said defendant, the property described in the preceding paragraph, or any portion thereof: (a) cannot be located upon the exercise of due diligence; (b) has been transferred, sold to or deposited with a third party; (c) has been placed beyond the jurisdiction of the court; (d) has

//

//

1 been substantially diminished in value; or (e) has been commingled
2 with other property that cannot be divided without difficulty.

3
4 A TRUE BILL

5 /s/

6
7

Foreperson

8 E. MARTIN ESTRADA
9 United States Attorney

10 MACK E. JENKINS
11 Assistant United States Attorney
12 Chief, Criminal Division



13 SCOTT M. GARRINGER
14 Assistant United States Attorney
15 Deputy Chief, Criminal Division

16 IAN V. YANNIELLO
17 Assistant United States Attorney
18 Deputy Chief, General Crimes
19 Section

20 KYLE W. KAHAN
21 Assistant United States Attorney
22 International Narcotics, Money
23 Laundering, and Racketeering
24 Section
25
26
27
28